

B.O.C.C. 02/06/2014

**PDR-13-28(P) – LONG BAR POINTE, PHASE 1, PARCELS C & B2**  
**(DTS #20130220)**

An Ordinance of the Board of County Commissioners of Manatee County, Florida approving a Preliminary Site Plan for 200 single family detached lots on approximately 61.75 acres, located southwesterly of El Conquistador Parkway and approximately ½ mile northerly of 36<sup>th</sup> Street West in Bradenton in the PDR (Planned Development Residential) zoning district; subject to stipulations as conditions of approval; setting forth findings; providing a legal description; providing for severability, and providing an effective date.

**P.C.:** 01/16/2014

**B.O.C.C.:** 02/06/2014

**RECOMMENDED MOTION:**

Based upon the staff report, evidence presented, comments made at the Public Hearing, the action of the Planning Commission, and finding the request to be **CONSISTENT** with the Manatee County Comprehensive Plan and the Manatee County Land Development Code, as conditioned herein, I move to **ADOPT** Manatee County Ordinance No. PDR-13-28(P); **APPROVE** the Preliminary Site Plan with Stipulations #A.1 - A.5, B.1, C.1 & C.2, D.1 - D.7, and E.1; **ADOPT** the Findings of Special Approval for a development: 1) adjacent to a perennial lake or stream; 2) being placed within a portion of the CHHA (Coastal High Hazard) Overlay District; and 3) being placed within a portion of the CEA (Coastal Evacuation Area) Overlay; **ADOPT** the Findings for Specific Approval for: 1) an alternative to LDC Section 714.8.7 of the Land Development Code to allow the installation of smaller diameter trees, 2) an alternative to LDC Section 715.3.4 to allow one canopy tree per lot frontage instead of one tree per 50 linear feet; 3) an alternative to LDC Sections 712.3 and 740.2.6.17 to allow primary access be provided to certain lots from a 20' wide alleyway; and 4) an alternative to the width of an alley; as recommended by Planning Commission.

**(COMMISSIONER CHAPPIE)**

**PLANNING COMMISSION ACTION:**

On January 16, 2014, by a vote of 7 – 0, the Planning Commission recommended approval.

The Planning Commission recommended deletion of A.3 and D.2, renumbering of rest of stipulations and the addition of a new Stipulation D.7 as shown in this staff report.

**PUBLIC COMMENT AND CORRESPONDENCE:**

The following people spoke at the January 16, 2014 Planning Commission public hearing:

Mr. Grove, resident of Tidy Island, stating he is opposed to the project, he is concerned with the elevations to the property as defined by FEMA and other State agencies and would like to know how the developer intends to complete this task of elevation.

Mr. Valenz, discussed two films her recently viewed, one is Rising Seas and the other Hurricane's. He is concerned with the flooding which has been shown to be called by over-developing and he shared information from the United Scientists created October 2013.

Mr. Grossman, stated he is opposed; would like to know what the expiration date for the site plan if not built upon and is there an overall concept plan for Long Bar Pointe or are they only going to get projects approved in pieces. He lives on Longboat Key and is wondering what this area will look like from the bay. Is there a policy on the buffer that should be placed there?

Ms. Jane von Hahmann stated she is not opposed to the project. She suggested that they get a conservation easement over the mangrove fringe or this be held in public interest giving some type of tax credit to the developer and reducing the number of homes. She brought forward an error in the cover page of the plans indicating the lots size and feels it needs to be corrected on the record. (A revised set of plans have been submitted for the February 6, 2014 Board of County Commissioners hearing).

Public Comments and a revised Stipulation was entered into the record at the January 16, 2014 Planning Commission public hearing.

<b>PROJECT SUMMARY</b>	
<b>CASE#</b>	PDR-13-28(P) - (DTS # 20130220)
<b>PROJECT NAME</b>	LONG BAR POINTE, PHASE I, PARCELS C & B2
<b>APPLICANT(S):</b>	CARGOR PARTNERS VIII/LONG BAR POINTE, LLC
<b>EXISTING ZONING:</b>	PDR (Planned Development – Residential) TOTAL ACREAGE - 61.75 ± acres
<b>PROPOSED USE(S):</b>	200 Single Family Detached Units
<b>CASE MANAGER:</b>	Shelley Hamilton
<b>STAFF RECOMMENDATION:</b>	APPROVAL w/Stipulations
<b>DETAILED DISCUSSION</b>	
<p><b><u>Future Land Use</u></b>                      The 61.75 ± acre subject property is designated RES-9 (Residential – 9 dwelling units per acre) on the Future Land Use Map. The intent of the RES-9 Future Land Use category is to establish a low-moderate urban, or clustered moderate density urban environment where appropriate. The property is located southwesterly of El Conquistador Parkway and approximately 500' northerly of 36<sup>th</sup> Street West.</p> <p><b><u>Zoning</u></b>                      The property is zoned PDR (Planned Development – Residential). The zoning has existed on the property since the Official Zoning Atlas was revised in 1991.</p> <p><b><u>History</u></b>                      The Preliminary Site Plan and Final Site Plan approvals, listed below, were granted on a separate parcel located at the northwestern end of the Long Bar Point property, and do not reflect any approvals for the subject property. A graphic is included in Appendix 2 that depicts the location of the approved plans. Also, for clarification purposes, the adjacent coastal mangrove wetlands and submerged lands are outside of the boundaries of the subject property, and as such, no conditions can or will be placed upon those coastal areas. Also, no developments rights are being considered for any of those coastal areas under this application. Those coastal areas may be the subject of future applications.</p> <p>On November 2, 2004, the BOCC approved a Preliminary Site Plan to allow 272 dwelling units. The parcel is located at the northernmost boundary of the Long Bar Pointe property and contains 102.39 ± acres. The development, know as Seagrass @ Long Bar Pointe (aka</p>	

Phase 1, Parcel F), consisted of two, 2-story buildings containing 12 units total; twenty-three, 2-story buildings containing 92 units total; and seven 5-story buildings over parking, containing 168 units total, for an overall gross density of 5.13 dwelling units/acre [PDR-03-32(P)].

On March 14, 2006, the original Preliminary Site Plan was revised to amend stipulations relating to traffic improvements [PDR-03-32(P)(R)].

On June 6, 2006, a Local Development Agreement (LDA) was adopted to provide for dedication, construction, permitting, performance security and milestones, and reservation of transportation capacity for El Conquistador Parkway (LDA-06-04).

On August 31, 2006, a Final Site Plan [PDR-03-32/FSP-05-138] was approved with conditions for 258 multi-family units (Seagrass@Long Bar Pointe).

The Preliminary Site Plan was revised to amend stipulations relating to the construction of El Conquistador Parkway [PDR-03-32(P)(R-2)]. This amended Preliminary Site Plan was approved on November 6, 2008.

An amendment to the LDA [LDA-06-04(R)] to extend the deadlines related to the construction of El Conquistador Parkway. This amendment was also approved on November 6, 2008.

Finally, an amendment to the LDA, [LDA-06-04(R-2)], to obtain the right-of-way to proceed with the construction of El Conquistador Parkway, was approved on July 28, 2009,

### **Overlay Districts**

A small portion of the property is located in the Coastal High Hazard (CHHA) Overlay District. The Comprehensive Plan and LDC Section 718 regulates development in the CHHA. At the time of Final Site Plan submittal, the exact location of the CHHA Overlay District line shall be determined and any of the planned development located within that area must comply with all requirements of the applicable sections of the LDC and the Comprehensive Plan.

About ½ of the property is also located in the Coastal Evacuation Area (CEA). The CEA is an area within the evacuation Level “A” for a Category 1 hurricane, as established in the regional hurricane evacuation study.

Finally, all of the property is located in the Coastal Planning Area (CPA). The CPA is defined as those portions of Manatee County which lie within the Hurricane Vulnerability Area (Evacuation Levels “A,” “B,” and “C”).

Hurricane Evacuation Plans are required for all new projects within the CEA. This Hurricane Evacuation Plan will be required at the time of Final Site Plan/Preliminary Plat stage of this development.

In both instances, CHHA Overlay District and CEA, the development of clustering shall be promoted to protect coastal resources from impacts, including runoff from impervious surface and to minimize infrastructure subject to potential storm damage.

**Preliminary Site Plan**

The Preliminary Site Plan shows 200 single family detached units on the property. The development is planned as a private gated community with two separate gate areas onto El Conquistador Parkway. Sufficient stacking at both gate areas is planned so that there will be no impacts to the adjacent roads.

The subject site is currently vacant. The properties immediately surrounding the property to north and east, across El Conquistador Parkway, are vacant properties, presently used as farm land and zoned PDR. The property immediately to the southeast is also zoned PDR and development as Legends Bay subdivision. The property to the west of the subject property is Sarasota Bay.

The application submitted is the first phase of a potential larger master planned community. The project demonstrates that all elements relating to access to adjacent roadway system, including the provision of safe vehicular and pedestrian circulation will be provided and designed in accordance with County standards. A series of lots in the northern portion of the project are to be accessed with alleys. The alleys will serve Lots 19-24, 44-49 and 57-62 on the accompanying Preliminary Site Plan. The alleys will be 20 feet in pavement width and will be one-way. A Specific Approval has been requested for the width of the alley and the one-way directions.

**SITE CHARACTERISTICS AND SURROUNDING AREA**

<b>ADDRESS:</b>	El Conquistador Parkway (no assigned address)
<b>GENERAL LOCATION:</b>	Southwest of El Conquistador Parkway and approximately ½ mile northerly of 36 <sup>th</sup> Street West in Bradenton, FL
<b>ACREAGE:</b>	61.75 ± acres
<b>EXISTING USE(S):</b>	Vacant
<b>FUTURE LAND USE CATEGORY(S):</b>	RES-9 (Residential – 9 units per acre)
<b>DENSITY / INTENSITY:</b>	Gross: 3.24 du/acre Net: 3.39 du/acre
<b>OVERLAY DISTRICT(S):</b>	CHHA (Coastal High Hazard) Overlay District CEA (Coastal Evacuation Area) Overlay CPA (Coastal Planning Area)
<b>SPECIFIC APPROVAL(S):</b>	1) LDC Section 714.8.7 to allow the installation of smaller diameter trees; 2) LDC Section 715.3.4 to allow one canopy tree per lot frontage instead of one tree per 50 linear feet; 3) LDC Sections 712.3 and 740.2.6.17 primary

	access be provided to certain lots from a 20' wide alleyway; and 4) LDC Section 201, Definitions, to allow a 20' wide alley.								
<b>SPECIAL APPROVAL(S):</b>	1) Comprehensive Plan Policy 3.2.2.1 to allow a development adjacent to a perennial lake or stream; 2) Comprehensive Plan Policy 2.2.2.5.4 to allow development within a portion of the CHHA (Coastal High Hazard) Overlay District; and 3) Comprehensive Plan Policy 2.2.2.4.4 to allow development within the Coastal Evacuation Area (CEA) Overlay.								
<b>SURROUNDING USES &amp; ZONING</b>									
<b>NORTH</b>	Vacant Agriculture (Long Bar Pointe property), Designated RES-9								
<b>SOUTH</b>	Residential (Legends Bay) – Zoned PDR, Designated RES-9								
<b>EAST</b>	El Conquistador Parkway/Vacant Agriculture – Zoned PDR, Designated MU-C								
<b>WEST</b>	Sarasota Bay								
<b>SITE DESIGN DETAILS</b>									
<b>LOT SIZE(S):</b>	Typical Interior Lot: 5,625 sq. ft. (45' x 125') Typical Corner Lot: 6,814 sq. ft. (55' x 125')								
<b>SETBACKS:</b>	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%;">Front</td> <td>20 feet; 23 feet to front loaded garage</td> </tr> <tr> <td>Side</td> <td>5 feet</td> </tr> <tr> <td>Rear</td> <td>15 feet</td> </tr> <tr> <td>Waterfront</td> <td>30 feet</td> </tr> </table>	Front	20 feet; 23 feet to front loaded garage	Side	5 feet	Rear	15 feet	Waterfront	30 feet
Front	20 feet; 23 feet to front loaded garage								
Side	5 feet								
Rear	15 feet								
Waterfront	30 feet								
<b>HEIGHT:</b>	35 feet								
<b>OPEN SPACE:</b>	Required: 15.44 ± Acres (25%) Provided: 21.3 ± Acres (34.49%)								
<b>RECREATIONAL AMENITIES:</b>	2.79 ± acres of park areas								
<b>ACCESS:</b>	2 access points onto El Conquistador Parkway								
<b>FLOOD ZONE(S)</b>	"A-15," per FIRM Panel 120153 0333B and 0317B, revised 3/15/84								
<b>AREA OF KNOWN FLOODING</b>	Yes, Storm Surge Effect								

<b>UTILITY CONNECTIONS</b>	Potable Water: On El Conquistador Parkway Sanitary Sewer: On El Conquistador Parkway
<b>ENVIRONMENTAL INFORMATION</b>	
<p><u>Wetland Impacts</u>                  According to the environmental narrative provided by Eco Consultants, dated July 21, 2013, there are wetlands in the project limits (61.75 ± acres) coded 630 – Mixed Forested Mixed. The total acreage for this wetland is 0.04 ± acres. No impacts are proposed to this wetland and a 30’ wetland buffer is proposed for this wetland.</p> <p><u>Uplands</u>                  According to the environmental narrative, there are no upland habitats on-site that may serve as preservation area.</p> <p><u>Endangered Species</u>                  The environmental narrative indicates that the site was checked for listed species and that the survey performed found no nesting or breeding of listed species and no habitat critical to such species within the project area.</p> <p><u>Trees</u>                  According to the applicant’s response to staff, tree count information was not available at this time, and will be provided with the Final Site Plan. The project will be required to meet the requirements of LDC Section 714.8.7 at the time of Final Site Plan review/approval.</p> <p><u>Landscaping/Buffers</u>                  The application shows a 20’ roadway/landscape buffer for frontage on El Conquistador Parkway. Also, a 20’ greenbelt buffer is proposed along the southeastern project boundary, adjacent to the Legends Bay property. An internal roadway (the entrance of the subdivision) parallels the western boundary of the project limits and shows trees along the west side of the road at 1 canopy tree per 100’. The intent to meet other landscape requirements is not shown with the Preliminary Site Plan and a stipulation has been added that will require the applicant to address this requirement with the Final Site Plan.</p> <p>Street trees are shown as required by the LDC, however, staff is recommending approval, and has provided findings for Specific Approval, for an alternative to LDC Section 715.3.4 – Street Trees, to allow for less trees per lots, which will assist in preventing conflicts between trees and infrastructure.</p>	

<b>NEARBY DEVELOPMENT</b>				
<b>RESIDENTIAL</b>				
<b>PROJECT</b>	<b>SIZE (LOTS / UNITS)</b>	<b>DENSITY</b>	<b>FLUC</b>	<b>YEAR APPROVED</b>
Legends Bay	189 single family detached; 60 multi-family; Average lot sizes – 55' x 130'	2.92 du/acre	RES-9	2006
<b>POSITIVE ASPECTS</b>				
<ul style="list-style-type: none"> <li>• Single family detached residential units are planned for the development.</li> </ul>				
<b>NEGATIVE ASPECTS</b>				
<ul style="list-style-type: none"> <li>• There are smaller lot sizes proposed for the subject property than on surrounding properties.</li> <li>• Only a 20' greenbelt buffer is planned adjacent to the Legends Bay property to the south.</li> </ul>				
<b>MITIGATING MEASURES</b>				
<ul style="list-style-type: none"> <li>• The exterior lots, adjacent to Legends Bay are proposed to be 52' x 125' lots, more in keeping with the lots sizes in Legends Bay.</li> <li>• There is an existing 75' landscape buffer on the Legends Bay property adjacent to this property. Along with the greenbelt buffer planned on the subject property, the buffering between the proposed development and Legends Bay property helps to achieve compatibility between the two developments.</li> </ul>				



## STAFF RECOMMENDED STIPULATIONS

### A. DESIGN:

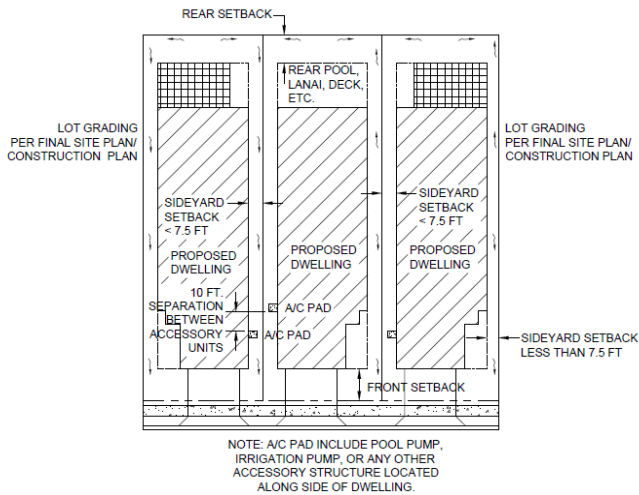
1. A Hurricane Evacuation Plan shall be prepared and submitted for approval at the time of Final Site Plan/Preliminary Plat submittal. This plan shall be provided to both Public Safety and Building and Development Services for review and approval.
2. A Homeowner's Association, Community development district or condominium association responsible for the maintenance of all common areas and facilities, including the private street network and private utility systems, shall be established for this development. The governing documents shall be reviewed in conjunction with the Final Plat submittal.
3. The addressing of the residences on the proposed alley ways shall be identified with appropriate signage and the alley ways shall be posted as one way. No on-street parking shall be allowed on the alley ways.
4. The minimum front yard setback shall be 23' to the garage portion of the structure. The remaining habitable portion of the structure may be set back 20'. The minimum front yard setback for structures with side loaded garages shall be 20'.
5. The Applicant proposes to relocate an existing County pond needed for the EI Conquistador Parkway improvement into the project, and to combine it with the stormwater retention facilities supporting the project. The development rights granted to the applicant pursuant to this approval are subject to and conditioned upon the applicant and the County entering into a mutually acceptable agreement for any such relocated pond. This agreement shall be finalized prior to the approval of Final Site Plan for the proposed development.

### B. INFRASTRUCTURE CONDITIONS:

1. The project will be required to connect to Central Potable Water, through a Master Meter, and Sanitary Sewer. All connections shall be provided at the developer's expense.

### C. STORMWATER CONDITIONS:

1. This project shall provide 150% Water Quality treatment for Sarasota Bay, classified as an Outstanding Florida Waters (OFW).
2. There shall be a minimum of 10 feet separation between accessory equipment and structures alongside adjoining houses with 5 foot side yard setbacks. See below:



#### D. ENVIRONMENTAL CONDITIONS:

1. A Conservation Easement for the areas defined as post-development jurisdictional wetlands/wetland buffers and upland preservation areas shall be dedicated to Manatee County prior to or concurrent with Final Plat approval.
2. A Construction Water Quality Monitoring Program and proposed sampling locations are required to be included in the ESCP information on the Final Site Plan in accordance with LDC Section 519.
3. A Well Management Plan for the proper protection and abandonment of existing wells shall be submitted to the Environmental Planning Division for review and approval prior to Final Site Plan approval. The Well Management Plan shall include the following information:
  - Digital photographs of the well along with nearby reference structures (if existing);
  - GPS coordinates (latitude/longitude) of the well;
  - The methodology used to secure the well during construction (e.g., fence, tape); and
  - The final disposition of the well – used, capped, or plugged.
4. Irrigation for landscaping shall use the lowest water quality source available, which shall be identified on the Final Site Plan. Use of Manatee County public potable water supply shall be prohibited.
5. Landscaping requirements for the project shall be shown on and approved with the Final Site Plan and shall be accordance with the LDC requirements and any Specific Approvals approved with the Preliminary Site Plan.

6. The Final Site Plan shall depict and provide a 20’ wide roadway buffer, exclusive of the 20’ drainage easement required by Stormwater Management (see Stipulation No. D-5 above).
7. All wetlands/buffer limits on-site and within 200’ of the site shall be depicted on the Final Site Plan. All applicable wetland/wetland buffer criteria in Section 719 of the Land Development Code shall be addressed prior to the approval of the Final Site Plan.

**E. NOTICES**

1. A Notice to Buyers shall be included in the Declaration of Covenants and Restrictions, in a separate addendum to the sales contract, and in the Final Site. The Notice to Buyers shall include language informing prospective home buyers of the following:
  - a. A portion of the property is located within the CHHA (Coastal High Hazard) Overlay District, the CPA, and the CEA.

**REMAINING ISSUES OF CONCERN – NOT RESOLVED OR STIPULATED**

None

**COMPLIANCE WITH THE LAND DEVELOPMENT CODE**

Standard(s) Required	Design Proposal	Compliance		Comments
		Y	N	
<b>BUFFERS</b>				
20’ roadway buffer, El Conquistador Parkway	20’	Y		Shown on site plan
15’ perimeter buffer	20’ shown along southeastern property boundary; the remaining property boundaries abut future sections of Long Bar Pointe	Y		Shown on site plan
Buffer landscaping		Y		Shown on site plan

<b>SIDEWALKS</b>				
<b>5' internal sidewalks</b>		<b>Y</b>		<b>Shown on both sides of all internal streets</b>
<b>5' sidewalk, exterior</b>		<b>Y</b>		<b>Shown on site plan</b>
<b>ROADS &amp; RIGHTS-OF-WAY</b>				
<b>Internal rights-of-way</b>	<b>50' to be provided</b>	<b>Y</b>		<b>Streets to be private</b>
<b>24' paved roadways</b>	<b>24' to be provided</b>	<b>Y</b>		<b>12' travel ways, with required curb and sidewalks to be provided in the 50' right-of-way</b>
<b>COMPLIANCE WITH THE LAND DEVELOPMENT CODE Factors for Reviewing Proposed Site Plans (Section 508.6)  Planned Districts - Rezone Review Criteria (Section 603.4)</b>				
<p><b><u>Physical Characteristics</u></b></p> <p>The applicant has demonstrated that the subject property will be suitable for development without hazard to persons or property, on or off the tract, free from the probability of erosion, subsidence, slipping of the soil, flood hazard, destruction of wetlands, or other dangers.</p> <p>The existing site slopes from El Conquistador Parkway to the intercoastal. The site is currently drained by agricultural ditches without any stormwater management facilities. The proposed site will maintain drainage patterns by providing a central treatment lake for both the site and offsite areas that currently have a storm system that will be impacted by the development. Existing discharge points will be maintained. The site will be elevated above the FEMA flood stages, and therefore, will eliminate the flood hazard to proposed structures. Ground water levels will be maintained. No wetlands are proposed to be impacted by the development of the single family subdivision.</p> <p><b><u>Public Utilities, Facilities and Services</u></b></p> <p>Planned Development districts are to be so located in relation to transportation systems, sanitary sewer, public water lines, emergency services, schools, public safety, and surface drainage systems, as well as other utility systems and installations so that services can reasonably be expected to be available at the time of request for Certificate of Level of Service.</p> <p>The site is located off of a newly completed arterial – El Conquistador Parkway. Water, sewer and reuse are located within the adjacent right-of-way. On-site utilities will be private and will provide service accordingly. A storm water management system will treat run-off from the site, thus improving the current water quality conditions of runoff entering the intercoastal waterway.</p>				

**Major Transportation Facilities**

El Conquistador Parkway is a newly completed arterial. Traffic from the development will enter the adjacent roadway system at two different points as shown on the plans.

**Compatibility**

The site abuts single family residential development southeasterly of this property (Legends Bay). This development is of similar intensity. The lots in Legends Bay are 55' x 130' in the area adjacent to the subject property, with the lots in this development along that same area proposed to be 52' x 125'.

A 75' area exists in Legends Bay along the Legends Bay/Long Bar Pointe adjoining property boundary. The greenbelt area proposed to be adjacent to the Legends Bay property exceeds the greenbelt buffer required in the Manatee County Land Development Code requirements. This combined buffer area will provide an area that will provide assurance that all future lots are protected, and vice versa.

The property located across El Conquistador Parkway is planned as a mixed-use development. Also, to the south, the property is development with single family homes of similar size to the homes proposed in the southern portion of the subject property.

**Transitions**

As stated above, single family homes, of similar size to existing homes to the south, are proposed on the south half of the project area. A more dense product is proposed in the northern portion of this property, and internal to the development, providing a transition from the lower intensity to higher intensity is accomplished.

**Design Quality**

The project is consistent with the Future Land Use of RES-9 and the Land Development Code relative to design standards for landscaping, buffering and setbacks. The only Specific Approval requests relate to the number of street trees, the size of replacement trees, and the provision of a one-way, 20' wide, alley to serve a section of the planned lots.

**Adjacent Property**

Appropriate buffers are proposed along both El Conquistador Parkway and the southern property line. Both the northern and western property boundaries abut other sections of the overall development planned for the Long Bar Pointe property.

**Access**

There are two access points to El Conquistador Parkway proposed for the subject property. This will be a private, gated community, and sufficient stacking is proposed internal to the site so that no impact to the adjacent roadway occurs. Pedestrian circulation is similar in that two access points are proposed to the adjacent roadway system. It is the goal of the development to encourage traffic flow while controlling turning movements and minimizing hazards to vehicular or pedestrian traffic.

### **Streets, Drives, Parking and Service Areas**

All elements of safe vehicular and pedestrian circulation are provided in the proposed development. Emergency access will be provided from the abutting private streets. An interconnected sidewalk system is planned throughout the development. All aspects of the proposed development are designed in accordance with the Land Development Code standards. The project will be developed in one phase, but will be the first phase of a master project and connection points will be provided to the next phases, and are shown on the plans.

### **Pedestrian Systems**

The entire development is designed to be pedestrian-friendly, with walking paths provided throughout. Parks are also provided throughout the development, and a central lake with pavilion for community activities, as well as a central mail center is provided.

### **Natural and Historic Features, Conservation and Preservation Areas**

The site does not contain any known historic or cultural resources. No wetlands are proposed to be impacted by the proposed development.

### **Density/Intensity**

Development of the overall Long Bar Pointe property (528 ± acres) is currently regulated through an adopted Land Development Agreement (LDA) and has approval for 1,658 single family units, which equates to an average density of 3.14 units per acre. There is also a Final Site Plan approval for 258 multi-family units on 102.39 ± acres, equating to an average density of 2.5 dwelling units per acre. The proposed phase that is subject to this application (Phase I, Parcels C and B2) has a gross density of 3.24 units per acre, and therefore may be found to be compatible with the existing approvals for the site.

### **Height**

Building heights of the finished floors above existing grade is determined by the FEMA flood stages, as noted on the plans. The proposed buildings heights are noted on the plans, and will be limited to 35 feet.

### **Fences and Screening**

There are no perimeter fences proposed for the subject property. Perimeter landscape screening and buffering will be provided in accordance with Land Development Code requirements. More detailed landscape plans will be submitted at the time of Final Site Plan.

### **Yards and Setbacks**

All setbacks within Planned Development districts shall be measured from property lines. The required setbacks are shown on the plans. All buffers associated with wetlands are also shown on the plans.

### **Trash and Utility Plant Screens**

All single family residences in this development will have curb-side pickup of central refuse, trash and garbage.

**Signs**

Any proposed neighborhood entry signage will be consistent with the Land Development Code.

**Landscaping**

Proposed landscaping will meet or exceed the standards under the Land Development Code Section 715.

**Mixed Use or Entranceway Designation**

N/A

**Water Conservation**

Water conservation is proposed via a pervious community trail system. Reclaimed water is located on the northerly side of El Conquistador Parkway and will be utilized as the source water for irrigation. The use of this reclaimed water for irrigation and the elimination of the agricultural activities on the subject property will also aid in the conservation of water.

**Rights-of-Way**

The property abuts El Conquistador Parkway. At this time, no additional right-of-way is required to be reserved for the development.

**Utility Standards**

As required by Comprehensive Plan Objective 4.3.2 and Policy 4.3.2.2, no County-funded public facilities shall be provided with the CHHA. The utilities proposed are to be privately owned and maintained. Staff is recommending a stipulation requiring the project to connect to Central Potable Water through a Master Meter and to Sanitary Sewer. All connections shall be provided at the developer's expense.

**Stormwater Management**

The following is provided for informational purposes only:

Project Located in Flood Prone Area: Yes

Type of Flooding (i.e., rainfall, riverine, storm surge, etc.); Storm Surge Effect

Project subject to flow reduction: N/A

Project subject to OFW: Yes, 150% water quality treatment

Watershed/Basin: Sarasota Bay

Project located within Floodplain and/or Floodway: Yes, FEMA 100-year Floodplain; "A-15" (Elevation 12 and 13 feet).

The project site lies in Zone A-15 with Base Flood elevations of 12' and 13' NGVD 1929. All development and new construction is required to meet the lowest floor elevations and other requirements of the LDC and the Floodplain Management Ordinance No. 89-10. Minimum finished floor elevation of 5' may only be for vehicle parking, minimal storage and entry access to the habitable floor.

**Open Space**

The site plan shows 34.49% open space (21.30 ± acres). 25% open space (15.44 ± acres) is required.

**COMPLIANCE WITH THE COMPREHENSIVE PLAN**

**The site is in the RES-9 Future Land Use Category. This project was specifically reviewed for compliance with the following policies:**

**Policy 2.1.2.7 Appropriate Timing.** The property is located within a developing area of the County with future mixed use developments anticipated along El Conquistador Parkway. Buffering, site design, and density limitations will be ensured, with stipulations.

**Policy 2.2.1.13.1 Intent.** The proposed development is designated RES-9 FLUC, which provides for moderate density residential uses at a gross density of 9 dwelling units. The Comprehensive Plan also requires Special Approval for all projects for which gross residential density exceeds 6 dwelling units per acre. The proposed gross density is 3.24 du/acre. The density in Legends Bay is 2.92 du/acre and will be protected with the lower density and the landscaping, design standards, and setbacks that will be provided with the development.

**Policy 2.2.1.13.2 Range of Potential Uses includes;** Suburban or urban residential uses, neighborhood retail uses, short-term agricultural uses other than special agricultural uses, agriculturally-compatible residential uses, low intensity recreational facilities, public or semi-public uses, schools, lodging places, and appropriate water-dependent/water-related/water-enhanced uses. As stated above, the lower density of 3.2.4 du/acre will provided compatibility assurance with the existing adjacent uses.

**Policy 2.6.1.1 Compatibility.** The Preliminary Site Plan design is compatible with surrounding development because the screening, buffering and design feature will ensure compatibility with existing uses that exist southeasterly of the property (Legends Bay).

**Policy 2.6.5.5 Preserve/Protect Open Space.** The site plan shows 34.9% open space to be provided; 25% open space is required.



**TRANSPORTATION**

**Major Transportation Facilities**

The site will have access to El Conquistador Parkway, a two-lane divided arterial roadway.

**Transportation Concurrency**

The applicant has deferred transportation concurrency until the Final Site Plan review stage. At that time, the applicant will be required to submit a traffic study which will need to be approved by the Transportation Planning Division. (See Certificate of Level of Service Compliance table below).

**Access**

The project will have two access points onto El Conquistador Parkway, one in the northwesterly portion of the property, and another in the southeasterly portion of the property.

**CERTIFICATION OF LEVEL OF SERVICE (CLOS) COMPLIANCE**

**CLOS APPLIED FOR:**     Y      N   
**TRAFFIC STUDY REQ'D:**   Y \*     N

\*A Traffic Study will be to be prepared, following an approved Methodology, at the time of Final Site Plan submittal.

NEAREST THOROUGHFARES	LINK(S)	ADOPTED LOS	FUTURE LOS (W/PROJECT)
El Conquistador Parkway	49 <sup>th</sup> Street W. to 53 <sup>rd</sup> Avenue W. (Link #2391)	“D”	“D”

In summary, the results shown in the above table indicate that the segment of El Conquistador Parkway, adjacent to the project site, is currently operating at the adopted LOS “D” standard. However, a traffic study will be required at the Final Site Plan review stage to ensure that the adopted LOS standard will be maintained with the continued development of the project.

**OTHER CONCURRENCY COMPONENTS**

Solid waste landfill capacity, potable water, waste water and drainage will be reviewed at the time of Final Site Plan/Construction Drawings submittal, as the applicant has elected to defer concurrency at this stage.

## SPECIFIC APPROVALS – ANALYSES, RECOMMENDATIONS, FINDINGS

### Applicant Request(s):

- 1) **LDC Section 714.8.7 requires replacement tree calipers to be three, five, or seven inches depending on the size of the tree removed. The request is to allow replacement tree calipers to be three or four inches.**

#### **Staff Analysis and Recommendation**

Staff is in support of the request for Specific Approval for an alternative to LDC Section 714.8.7 to allow replacement tree sizes at 3”/4”/4” instead of 3”/5”/7”. Staff believes that smaller size trees typically establish and grow faster. Therefore, they provide more tree canopy sooner.

#### **Finding for Specific Approval**

Notwithstanding the failure of this plan to comply with the requirements of LDC Section 714.8.7, the Board finds that the purpose of the LDC regulations is satisfied to an equivalent degree by the proposed design because the required number of trees and canopy will be provided.

- 2) **LDC Section 715.3.4 requires one (1) canopy tree every fifty (50) linear feet along rights-of-way in residential developments, to allow for one canopy tree per lot per frontage.**

#### **Staff Analysis and Recommendation**

Staff supports a Specific Approval for an alternative to LDC Section 715.3.4 to allow only 1 tree per lot per frontage instead of one per 50 linear feet, as more than one tree on narrow lots creates conflicts between the trees and infrastructure. This alternative avoids these conflicts from occurring.

#### **Finding for Specific Approval**

Notwithstanding the failure of this plan to comply with the requirements of LDC Section 715.3.4., the Board Finds that the purpose of the LDC regulation is satisfied to an equivalent degree, as providing less trees will prevent future removal to prevent conflicts with infrastructure.

- 3) **LDC Sections 712.3 and 740.2.6.17 relating to primary access and the requirement that all lots shall have frontage along an approved public or private street.**

#### **Staff Analysis and Recommendation**

The applicant is requesting that Lots 19-24, 44-49 and 57-62, as shown on the Preliminary Site Plan submitted with this application, have their primary access from an alley, instead of a private street. The front of these lots is located along a park.

LDC Section 603.7.4.3, relating to Frontage and Accessibility for properties within the PDR district, allows for that required vehicular access be provided via an approved pedestrian way, court, or other area dedicated to public use or private use. This provision is with the caveat that adequate emergency vehicular access is required to every dwelling unit.

Following a meeting with the applicant and representatives from affected County departments, if addressing of the properties is from the alley, and if signage is provided identifying the addresses of those residences located on the alley, the alternative is acceptable from a staff perspective (Fire Department, Public Safety and Addressing).

With the caveats of a minimum 20 foot pavement width and with addressing be handled from the alley, staff supports this request to allow the main access for the lots identified above to have their main vehicular access from an alley.

**Finding for Specific Approval**

Notwithstanding the failure of this plan to comply with the requirements of LDC Sections 713.2 and 740.2.6.17, the Board finds that the purpose of the Land Development Code regulations are satisfied to an equivalent degree by the for the request to provide the vehicular access for Lots 19-24, 44-49 and 57-62 on the accompanying Preliminary Site Plan from an alley in accordance with LDC Section 603.7.4.3, because adequate addressing will be provided, and stipulated, to ensure Emergency vehicles will be accommodated.

- 4) LDC Section 201 relating to the definition of an alley. The definition requires a 25 foot width for an alley.**

**Staff Analysis and Recommendation**

In conjunction with the request in No. 4 above, the applicant is requesting that Lots 19-24, 44-49 and 57-62, as shown on the Preliminary Site Plan submitted with this application, have their primary access from an alley, instead of a private street. The front of these lots is located along a park.

As previously stated, the LDC Section 603.7.4.3, relating to Frontage and Accessibility for properties within the PDR district, allows for that required vehicular access be provided via an approved pedestrian way, court, or other area dedicated to public use or private use. This provision is with the caveat that adequate emergency vehicular access is required to every dwelling unit.

Following a meeting with the applicant and representatives from affected County departments, if the alley is provided with a 20 foot pavement width to accommodate emergency vehicles, this alternative is acceptable from a staff perspective (Fire Department, Public Safety, and Public Works).

With the caveats of a minimum 20 foot pavement width and as a one-way travel way, staff supports this request to allow the main access for the lots identified above to have their main vehicular access from an alley. All other concerns relating to addressing of the residences on the alleys have been alleviated through stipulations addressing signs and posting of the alleys as one-way travel ways.

**Finding for Specific Approval**

Notwithstanding the failure of this plan to comply with the requirements of LDC Section 201, the Board finds that the purpose of the Land Development Code regulations are satisfied to an equivalent degree by the allowing a 20 foot wide alley to provide the vehicular access for Lots 19-24, 44-49 and 57-62 on the accompanying Preliminary Site Plan from an alley in accordance with LDC Section 603.7.4.3.

**SPECIAL APPROVALS – ANALYSES, RECOMMENDATIONS, FINDINGS**

**Applicant Request(s):**

- 1) Comprehensive Plan 3.2.2.1 provides for projects adjacent to a perennial stream to apply for a Special Approval.**

**Staff Analysis and Recommendation**

The applicant has demonstrated in the application submitted that the water quality for the perennial stream adjacent to the property will be maintained through the proposed wet detention lakes and onsite rain gardens.

As further assurance that the water quality will be maintained to the perennial stream, the applicant will be stipulated to provide 150% of the normally required stormwater quality treatment as the project will discharge to an Outstanding Florida Waterway; this requirement is enforced by both Manatee County Public Works and the Southwest Florida Water Management District.

Lastly, the site is currently an agricultural site with discharge directly to adjoining water bodies, it is apparent, by inspection, that the construction of a fully permitted water management system that meets all current Manatee County and Southwest Florida Water Management District standards will bring about no degradation of the adjacent water quality.

**Finding for Special Approval**

Notwithstanding the requirements of Comprehensive Plan Policy 3.2.2.1, the Board finds that the purpose of the Comprehensive Plan, specifically the intent to require all new projects adjacent to a perennial stream be established pursuant to the special approval process. The information submitted with the Special Approval, in conjunction with the rezone application, ensures that all criteria for the use proposed have been satisfied.

- 2) **Comprehensive Plan Policies 2.2.2.4.4 (Coastal Evacuation Area Overlay), and 2.2.2.5.4 (Coastal High Hazard Area Overlay) provides for projects within the CEA and CHHA Overlay District to apply for Special Approval.**

**Staff Analysis and Recommendation**

The Comprehensive Plan policies relating to the CEA and CHHA Overlay District all encourage the clustering of dwellings. This practice ensures that coastal resources are protected from the impacts of runoff from impervious surface and to minimize infrastructure subject to potential storm damage. Staff is in support of this request to cluster this development to protect the coastal areas.

**Finding for Special Approval**

Notwithstanding the requirements of Comprehensive Plan Policies 2.2.2.4.4 and 2.2.2.5.4, the Board finds that the purpose of the Comprehensive Plan, specifically the intent of the RES-9 Future Land Use designation which states that properties within these coastal areas should utilize clustering to maximize protection of natural resources and to maximize reserved open space.

**ATTACHMENTS**

1. **Applicable Comprehensive Plan Policies**
2. **Graphic demonstrating existing approvals**
3. **Requests for Specific Approval**
4. **Requests for Special Approval**
5. **Copy of Newspaper Advertising**
6. **Ordinance PDR-13-28(P)**
7. **Public Comments**

**ATTACHMENT #1  
APPLICABLE COMPREHENSIVE PLAN POLICIES**

**Policy 2.1.1.4** Promote development in currently undeveloped areas which have the greatest level of public facilities availability and investments.

**Policy 2.1.2.1** Provide opportunities for, and allow, new residential, and nonresidential development to occur at locations defined as appropriate in the Adopted Land Use Concept Resolutions and the established Mapping Methodology. (See TSD-Land Use).

**Policy 2.1.2.2** Limit urban sprawl by prohibiting all future development to the area east of the established FDAB except as follows:

- a. Small commercial development providing for the needs of the agricultural community;
- b. Agro-industrial and industrial development where associated with approved mining operations;
- c. Residential development in excess of 0.2 du/ac during the following:
  - 1) Farm worker housing;
  - 2) Residential within Myakka City;
  - 3) Legal lots of record prior to May 11, 1989;
  - 4) Redevelopment per Policy 2.9.3.2;
  - 5) Projects obtaining Special Approval from the Board of County Commissioners which implement significant clustering provisions for the protection of open space and agricultural operations.

**Policy 2.1.2.3** Permit the consideration of new residential and non-residential development with characteristics compatible with existing development, in areas which are internal to, or are contiguous expansions of existing development if compatible with future areas of development

**Policy 2.1.2** Limit urban sprawl through the consideration of new development and redevelopment, when deemed compatible with existing and future development, and redevelopment area planning efforts when applicable in areas which are internal to, or are contiguous expansions of the built environment.

**Policy 2.1.2.4** Limit urban sprawl through the consideration of new development and redevelopment, when deemed compatible with existing and future development, and redevelopment area

planning efforts when applicable in areas which are internal to, or are contiguous expansion of the built environment.

**Policy 2.1.2.5** Permit the consideration of new residential and non-residential development in areas which are currently undeveloped, which are suitable for new residential or non-residential uses.

**Policy 2.1.2.** Limit urban sprawl through the consideration of new development, when deemed compatible with future growth, in areas which are currently undeveloped yet suitable for improvements.

**Policy 2.1.2.7** Review all proposed development for compatibility and appropriate timing. This analysis shall include:

- Consideration of existing development patterns;
- Types of land uses;
- Transition between land uses;
- Density and intensity of land uses;
- Natural features;
- Approved development in the area;
- Availability of adequate roadways;
- Adequate centralized water and sewer facilities;
- Other necessary infrastructure and services;
- Limiting urban sprawl
- Applicable specific area plans;
- (See also policies under Objectives 2.6.1 through 2.6.3)

**Policy 2.2.1.13** RES-9: Establish the Residential-9 Dwelling Units/Acre future land use category as follows:

**Policy 2.2.1.16.1** Intent: To Identify, textually, in the Comprehensive Plan's goals, objectives, and policies, or graphically on the Future Land Use Map, areas which are established for low-moderate urban, or clustered moderate density urban residential uses. Also, to provide for a complement of residential support uses normally utilized during the daily activities residents of these moderate density urban areas.

**Policy 2.2.1.16.2** Range of Potential Uses (see Policies 2.1.2.3. through 2.1.2.7, 2.2.1.5): Suburban or urban residential uses, neighborhood retail uses, dormitories, short-term agricultural uses other than special agricultural uses, agriculturally-compatible residential uses, low intensity recreational facilities, public or semi-public uses, schools, low intensity recreational uses, and appropriate water-dependent/water-related/water-

enhanced uses (see also Objective 4.2.1 and 2.10.4).

**Policy 2.2.1.16.3 Range of Potential Density/Intensity:**

**Maximum Gross Residential Density:  
9 dwelling units per acre**

**Minimum Gross Residential Density: 7.0 only in CRA's and UIRA for residential projects that designate a minimum of 25% of the dwelling units as "Affordable Housing."**

**Maximum Net Residential Density:  
16 dwelling units per acre**

**20 dwelling units per acre in CRA's and UIRA for residential projects that designate a minimum of 25% of the dwelling units as "Affordable Housing." (except within the WO or CHHA Overlay Districts pursuant to Policies 2.3.1.5. and 4.3.1.5)**

**Maximum Floor Area Ratio:  
0.23 (1.00 inside the CRA's and UIRA)  
1.00 inside the CRA's and UIRA**

**Maximum Square Footage for Neighborhood Retail Uses:  
Retail Uses: Medium (150,000 sq. ft.)**

**Policy 2.2.1.16.4 Other Information:**

- a) **All mixed and multiple-use projects shall require special approval, as defined herein, and as further defined in any land development regulations developed pursuant to §163.3202, F.S.**
- b) **All projects for which gross residential density exceeds 6 dwelling units per acre, or in which any net residential density exceeds 9 dwelling units per acre shall require special approval.**
- c) **Any non-residential projects exceed 30,000 square feet of gross building area shall required special approval.**
- d) **Professional office uses not exceeding 3,000 square feet in gross floor area within this category may be exempted from compliance with any locational criteria specified under Policies 2.10.4.1 and 2.10.4.2, provided such office**



is located on a roadway classified as a minor or principal arterial, however, not including interstates, and shall still be consistent with any commercial development standards and with other goals, objectives, and policies in this Comprehensive Plan (see also 2.10.4.2).

**Policy 2.6.1.1** Require all adjacent development that differs in use, intensity, height, and/or density to utilize land use techniques to mitigate potential incompatibilities. Such techniques shall include but not be limited to:

- use of undisturbed or undeveloped and landscaped buffers
- use of increased size and opacity of screening
- increased setbacks
- innovative site design (which may include planned development review)
- appropriate building design
- limits on duration/operation of uses
- noise attenuation techniques
- limits on density and/or intensity (see policy 2.6.1.3)

**Policy 2.6.1.3** Require appropriate limits on net residential density to achieve compatibility between adjacent residential land uses. Limits on net density may reduce net density on a project, or part thereof, into less than the maximum net density associated with the future land use category or categories on the project site (see also 2.6.1.1).

**Policy 2.6.2.7** Require clustering, as appropriate, to limit impacts of residential development, on adjacent agricultural, conservation open space, or environmentally sensitive uses.

**Policy 2.6.5.4** Maximize the conservation and/or protection of public or private open space, including common open space, through the land development process by requiring that minimum percentages of the upland area on any project be maintained as undisturbed or landscaped areas.

Land Uses within the Watershed Overlay District shall meet additional requirements required by the Comprehensive Plan (see also Policy 2.2.2.2.5.)

**Policy 2.9.1.2** Promote the connection and integration of community pedestrian, bicycle and vehicular systems to the larger county systems (See also Objective 3.3.3).

**Policy 2.9.1.3** Promote vehicular access between neighborhoods, particularly (but not exclusively) when part of a planned unit development containing more than one neighborhood.

**Policy 2.9.1.5** Promote the development of pedestrian friendly designs.

**Policy 2.9.1.7** Encourage the development of community spaces, including usable open space and public access to water features.

**Policy 2.2.2.4.5** Development Restrictions/conditions

- a) Prohibit any amendment to the Future Land Use Map which would result in an increase in allowable residential density on sites within the Coastal Evacuation Area.

**Policy 2.2.2.5** CHHA: Establish the Coastal High Hazard Area Overlay District, as follows:

**Policy 2.2.2.5.1** Definition: The geographic area below the Category 1 storm surge line as established by a Sea, Lake, and Overland Surges from Hurricanes (SLOSH) computerized storm surge model, pursuant to applicable law, as updated on a periodic basis.

**Policy 2.2.2.5.2** Purpose:

- a) To limit population in the Coastal High Hazard Area Overlay District.
- b) To limit the amount of infrastructure, both private and public, within the CHHA Overlay District and thereby limit magnitude of public loss and involvement in mitigating for loss of private infrastructure of Manatee County residents.
- c) To, through exercise of the police power, increase the degree of protection to public and private property, and to protect the lives of residents within the CHHA, and reduce the risk of exposing lives or property to storm damage.
- d) To accomplish shoreline stabilization along coastal areas by limiting development activity which may adversely impact shoreline stability.
- e) To protect coastal water quality by reducing impervious surface along coastal areas, thereby reducing the risk of incomplete treatment of stormwater runoff before discharge into coastal waters.

- f) To encourage, establish, and maintain vegetative and spatial buffer zones, in order to maintain the capacity of natural vegetative communities in mitigating the negative effects of storm surge and tidal velocity, and the erosive effect of wave action.

**Policy 2.2.2.5.3 Applicable Goals, Objectives and Policies:** Goals, objectives, and policies pertaining to the CHHA Overlay District are contained under Objectives 4.3.1, 4.3.2, 4.4.2, and 4.4.3 of the Coastal Management Element. Compliance with all goals, objectives, and policies listed in these subsections, and with other applicable goals, objectives, policies, and development regulations is required for all activity within the CHHA Overlay District.

**Policy 2.2.2.5.4 Effect of Mapping:**

- a) Any project which is at least partially within the CHHA Overlay District shall be submitted for approval under the special approval process, except in the instance of any project on lands owned, leased or operated by the Manatee County Port Authority. The area designated under the CHHA Overlay District on the Future Land Use Map shall also be subject to all goals, objectives and policies for any future land use category overlaid by the CHHA District, except where policies associated with the CHHA Overlay conflict with such goals, objectives and policies. In this event, policies associated with the CHHA Overlay shall override other goals, objectives and policies. The extent and coverage of the area designed at CHHA is an approximation, and is subject to a more precise determination on any project within, or proximate to, that area shown on the Future Land Use Map as CHHA. At the time of review of any such project for issuance of any development order establishing total or partial development potential, evaluation of a pre-development topographic survey of the site shall be utilized to determine the extent of the CHHA District Overlay.
- b) See also objectives listed under Policy 2.2.2.5.3

**Policy 2.2.2.5.5 Development Restrictions/Conditions**

- a) Prohibit any amendment to the Future Land Use Map

which would result in an increase in allowable residential density on sites within the Coastal High Hazard Area Overlay District.

**Policy 2.9.1.2** Promote the connection and integration of community pedestrian, bicycle and vehicular systems to the larger county systems (See also Objective 3.3.3).

**Policy 2.9.1.3** Promote vehicular access between neighborhoods, particularly (but not exclusively) when part of a planned unit development containing more than one neighborhood.

**Policy 2.9.1.4** Encourage the development of a variety of housing options and architectural styles within a community (see also Objective 6.1.1).

**Policy 2.9.1.5** Promote the development of pedestrian friendly designs.

- a) Planning Department review and comment on proposed site design and layout.
- b) Appropriate revisions to the Land Development Code by the Planning Department.

**Policy 2.9.1.7** Encourage the development of community spaces, including usable open space and public access to water features.

**Policy 2.9.1.8** Encourage the design of residential projects providing continuous green space connecting neighborhoods.

**Policy 2.9.1.9** Require, where feasible, pedestrian and bicycle access to community spaces, schools, recreational facilities, adjacent neighborhoods, employment opportunities, professional and commercial uses. (See also Objective 3.3.3)

**Objective 4.3.1** Development Type, Density and Intensity: Limit development type, density and intensity within the Coastal Planning Area and direct population any development to areas outside of the Coastal High Hazard Area to mitigate the potential negative impacts of natural hazards in this area.

**Policy 4.3.1.5** Maximize the clustering of uses in the Coastal High Hazard Area.

- 1) Clustering shall be promoted to protect coastal resources from the impacts of dock accesses, runoff from impervious surface and to minimize infrastructure subject to potential

**storm damage.**

- 2) Net densities limits may be waived for appropriate clustered projects.**
- 3) For projects located partially within the CHHA, development shall be encouraged to transfer from areas within the CHHA to portions of the site outside of the CHHA (see Policies under Objective 2.3.1 of the Future Land Use Element).**

**Objective 4.3.2 Public Infrastructure in the Coastal Planning Area: Minimize public expenditures on infrastructure for new development within the Coastal Planning Area to limit replacement in case of damage from natural hazards**

**Policy 4.3.2.2 Prohibit the construction of County-founded public facilities within the CHHA except for the following:**

- Public recreation consistent with natural resource preservation;**
- Maintenance of hurricane evacuation times;**
- Facilities which are necessary for public health, safety, or resource restoration;**
- Roadways shown on the Future Traffic Circulation Map or the Major Thoroughfare Map contained in the Traffic Circulation Element of the Comprehensive Plan;**
- Improvements required to maintain Level of Service standards;**
- Port facilities consistent with the Port Manatee Master Plan and this Comprehensive Plan;**
- Projects which are of an overriding public interest as determined by the Board of County Commissioners.**

**Objective 4.4.2 Hazard Mitigation: Create pre-disaster mitigation plans to reduce the risk to life and property from natural or man-made disasters.**

**Policy 4.4.2.2 Require new development in the Coastal Planning Area to provide hurricane evacuation plans for the project in coordination with the County's Emergency Management Division, and the implementation of such plans with funding for such planning and implementation provided by the developers of the project or their successors.**

- a) Emergency Management Division participation in the development review process and review of all development in the Coastal Planning Area to ensure**

**consistency with this policy.**

- b) Development Orders will stipulate that no later than one year after construction approval, development projects will submit an effective and compliant hurricane evacuation plan to the Public Safety Department.**

**Objective 4.4.3 Post Disaster Recovery: Identify and prioritize cleanup and recovery in the event of a major storm event to provide for quick recovery in case of a natural disaster.**